

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DONALD M. MORRISON, II,)	
Plaintiff,)	
)	
v.)	1:05CV1100
)	
SACO INDUSTRIES, INC.,)	
Defendant.)	

ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION

Having reviewed *de novo* the Defendant's Objections to the Magistrate Judge's Recommendations regarding summary judgment, it is determined that the recommendations should be adopted for the reasons set out in the Recommendation.

It is, therefore, ORDERED that the Plaintiff's motion for summary judgment (Pleading 35) and the Defendant's motion for summary judgment (Pleading 38) be DENIED, except as to the Defendant's motion regarding the *quantum meruit* and accounting claims which is GRANTED.

This the day of January 16, 2007

/s/ N. Carlton Tilley, Jr.
United States District Judge